



United States Department of the Interior

BUREAU OF OCEAN ENERGY MANAGEMENT
WASHINGTON, DC 20240-0001

Mr. William White
President and CEO—Offshore
Avangrid Renewables, LLC
125 High Street, 6th Floor
Boston, Massachusetts 02110

Dear Mr. White:

I am writing on behalf of the Bureau of Ocean Energy Management (BOEM) regarding the Site Assessment Plan (SAP) facility decommissioning request that Kitty Hawk Wind, LLC (Kitty Hawk Wind) submitted pursuant to 30 C.F.R. § 585.902(b) on July 29, 2022, and the regulatory departure requests it submitted pursuant to 30 C.F.R. § 585.103 on April 27, 2022, for the Kitty Hawk Offshore Wind Project (OCS-A 0508). Through this letter, BOEM approves, with the enclosed conditions, Kitty Hawk Wind's decommissioning application and departure requests.

Decommissioning Notice Regulatory Departures

Regarding the decommissioning notice regulatory departures, BOEM approves Kitty Hawk Wind's request to depart from 30 C.F.R. §§ 585.902(d) and 585.908(a), which requires: 1) the submittal of a decommissioning notice at least 60 days before commencing decommissioning activities; and 2) that the decommissioning notice be distinct from and submitted following approval of a decommissioning application. Kitty Hawk Wind stated that due to the overlapping information requirements of the decommissioning application and decommissioning notice, as well as, the limited nature of the proposed decommissioning activities, Kitty Hawk Wind requested that the information provided in its April 27, 2022, letter, decommissioning application, and approved SAP be accepted in lieu of a decommissioning notice.

In approving this request to depart from 585.902(d) and 585.908(a), BOEM has determined that Kitty Hawk Wind's April 27, 2022, letter, and decommissioning application contain the requisite information for a decommissioning notice, pursuant to 30 C.F.R. § 585.908. Accordingly, Kitty Hawk Wind need not submit a separate decommissioning notice, nor must it wait 60 days following the decommissioning application approval granted herein to decommission its Floating Light Detection and Ranging WindSentinel™ Buoy and Trawl Resistant Bottom Mounted metocean data collection platform.

The purpose behind the 60-day notice is to allow BOEM to assess if Kitty Hawk Wind's decommissioning activities (including removal procedures and methods, as well as changes in vessel types or equipment) would differ from those BOEM approved in the decommissioning application, which describes Kitty Hawk Wind's plan for decommissioning. Given that Kitty Hawk Wind intends to begin decommissioning in December 2022, it would be duplicative and unduly burdensome to require the filing of a decommissioning notice when the information

included in that notice would not differ from that included in the approved decommissioning application and April 27, 2022, letter. Consequently, granting of this departure would facilitate Kitty Hawk Wind's activities on its lease by avoiding unnecessary delays. Approving the departure would not result in less protections to the environment and the public health and safety since the same information that would have been included in the notice was included with the decommissioning application. This departure will allow for the expeditious and orderly development of Outer Continental Shelf resources, and would not impair the rights of third parties, which makes it consistent with the requirements in subsection 8(p) of the Outer Continental Shelf Lands Act.

Therefore, as of December 1, 2022, Kitty Hawk Wind may commence decommissioning activities in accordance with its decommissioning application. If Kitty Hawk Wind has not commenced its authorized decommissioning activities within 60 days of December 1, 2022, or intends to make any changes to those activities, Kitty Hawk Wind must submit a decommissioning notice in keeping with 30 C.F.R. § 585.908.

Please contact John Stokely at John.Stokely@boem.gov or (571) 585-1933, should you have any questions.

Sincerely,

Karen J. Baker
Chief
Office of Renewable Energy Programs

Enclosure

cc: Marcus Cross, Avangrid Renewables, LLC
Amanda Mayhew, Avangrid Renewables, LLC